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NOTICE OF ALLOWANCE AND FEE(S) DUE

43168 7590 01/27/2011

MARCIA L. DOUBET LAW FIRM
PO BOX 422859
KISSIMMEE, FL 34742

EXAMINER

ANDERSON, FOLASHADE

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 01/27/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/814,541

03/31/2004

William D. Goldberg

RSW920040016US1

7408

TITLE OF INVENTION: MARKET EXPANSION THROUGH OPTIMIZED RESOURCE PLACEMENT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	04/27/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
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P.O. Box 1450
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or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

43168 7590 01/27/2011

MARCIA L. DOUBET LAW FIRM
PO BOX 422859
KISSIMMEE, FL 34742

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/814,541 03/31/2004 William D. Goldberg RSW920040016US1 7408

TITLE OF INVENTION: MARKET EXPANSION THROUGH OPTIMIZED RESOURCE PLACEMENT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	04/27/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
ANDERSON, FOLASHADE	3623	705-007120

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,541	03/31/2004	William D. Goldberg	RSW920040016US1	7408
43168	7590	01/27/2011	EXAMINER	
MARCIA L. DOUBET LAW FIRM PO BOX 422859 KISSIMMEE, FL 34742			ANDERSON, FOLASHADE	
			ART UNIT	PAPER NUMBER
			3623	
DATE MAILED: 01/27/2011				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1394 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1394 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/814,541

Examiner

FOLASHADE ANDERSON

Applicant(s)

GOLDBERG ET AL.

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment filed 09/21/2010.
2. ☒ The allowed claim(s) is/are 18,20,21,28,33,35,36,38 and 39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

/Andre Boyce/
Primary Examiner, Art Unit 3623

DETAILED ACTION

1. This notice of allowability is in response to Applicant's submission filed on November 19, 2010.

Status of Claims

2. Currently, claims 18, 20, 21, 28, 33, 35, 36, 38 and 39 are pending. Claims 18, 20, 21, 28, and 36 are amended. Claims 1-17, 22-27, 29-32, 34 and 37 were previously canceled. Claim 19 is newly canceled. Claim 39 is newly added.

Allowance

3. Currently, claims 18, 20, 21, 28, 33, 35, 36, 38 and 39 are allowed.

4. The following is an examiner's statement of reasons for allowance: The present invention is directed towards a method, system, and a computer program product for computer programmatically selecting a particular location from among several candidate locations for placing resources based on programmatically computed skills gap scores and opportunity gap scores for each of the candidate locations.

5. The closest prior art of record is disclosed by:

a. Keay et al (US Publication 2005/0065831 A1)

b. Srinivasan et al (US Patent 6,895,382)

Below are the reasons for allowance with respect to the non-obvious features of the independent claims (18, 28, and 36) and the prior art of record.

5a. Keay et al (US Publication 2005/0065831 A1)

Keay teaches a "computer modeling or simulation, and more particularly to methods and systems of simulation of complex services," [0002]. "[D]ata utilized in computing measurements regarding economic benefit," [0016]. "An overview, this example involves Business Transformation Outsourcing (BTO) deals (i.e. deals involving outsourcing of business processes, where the business processes may be substantially changed, often through information technology [IT]). BTO simulation may be used to demonstrate, or estimate, benefits and costs of proposed outsourcing deals," [0043]. "Process simulation 214 and IT transformation simulation 216 show how mature processes, skilled staff, and innovative technology enable those benefits. Finally, the Value simulation 223 shows the potential impact of all the foregoing on the client firm's market valuation and share price, for example," [0044]. "Regarding BTO services 210, the scope of services determines which business processes a BTO service provider will perform for the client organization...Cost assumptions inputs 207 define the human resources needed to perform the business processes today ("As Is") and during outsourcing ("To Be"). The number of full-time equivalent (FTE) resources the client uses today, plus their cost rates by location, are entered," [0058]. "[G]enerating tables and charts in time series. This involves outputting one or more measures of economic value for the business transformation outsourcing service," [0093].

"It is within the practice of the invention for the spending simulation, process simulation, and IT simulation to occur simultaneously," [0094]. "involves representing with simulations the use by a client organization of one or more business transformation outsourcing services, such as sourcing, procurement, and payables," [0095]. "Inputs for

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External use (block 405), are a subset of those for Internal use (block 402), which are in turn a subset of inputs for Research & Development use (block 408). Outputs have the same hierarchical subset relationship. External (block 406), is a subset of Internal (block 403), and Internal is a subset of R&D (block 409). When run for clients (block 430), the simulations are deterministic. When the simulator is run without any random variability, its results are deterministic (which means the same inputs always generate the same output). This repeatability is helpful in conversations with client organizations. But when run for internal research purposes (block 440), and risk management (block 420), random variability can be injected and the simulations run many times to quantify expected values. When the simulator is run with random variability in selected variables, its results are stochastic (which means the same inputs generate somewhat different output). These variations are helpful during research (block 440) because multiple simulation runs can be analyzed statistically,” [0096]

5b. Sirnivasan et al (US Patent 6,895,382)

Sirnivasan teaches “[t]he assessment and suitability of an application for migration off shore/off site is based on weightage given to selection parameters viz. Skill type Skill availability Project/Application type Project position in life cycle Rapid Application Development (RAD) and/or Joint Application Development (JAD) Clarity of scope Local third party involvement Project size Mission critical Miscellaneous constraints Cost savings (82) The said weightage is calculated by multiplying the Hari-Sriram (H-S) score for each of said selection parameters with a normalizing factor, Hari-Sriram Multiplier. (83) The said Hari-Sriram (H-S) score is in a range of 1 to 10. (84)

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The said normalizing factor is Hari-Sriram (H-S) Multiplier. (85) The said cumulative weightage for selection parameters are: 01-20 In-house, no outsourcing 20-30 Local (off site), not remote (off shore) 30-40 Predominantly local, with remote on a case by case (75:25) 40-60 a mix of on-site and remote locations 60-100 Predominantly remote (including mission/project management transfer), with some on-site (80:20)," col, 6, lines 17-49. "Weighted minimum or maximum per location = (H-S.sub.Min or H-S.sub.Max) * H-S Multiplier," col. 11, lines 27-29.

At col. 26, lines 40-67 Srinivasan shows a comparison of skill at each of the location under consideration

	1999			2000			2001		
	Skill A	Skill B	Skill C	Skill A	Skill B	Skill C	Skill A	Skill B	Skill C
<u>Base Rates</u>									
In-house Rate	\$40.00	\$50.00	\$60.00	\$42.00	\$52.50	\$63.00	\$44.10	\$55.13	\$66.15
Vendor On-site Rate	\$45.00	\$50.00	\$55.00	\$47.25	\$52.50	\$57.75	\$49.61	\$55.13	\$60.64
Vendor Remote Rate	\$20.00	\$30.00	\$40.00	\$22.00	\$33.00	\$44.00	\$24.20	\$36.30	\$48.40
<u>Remote Adders</u>									
G&A	\$1.40	\$2.10	\$2.80	\$1.40	\$2.10	\$2.80	\$1.40	\$2.10	\$2.80
Other	\$0.40	\$0.60	\$0.80	\$0.40	\$0.60	\$0.80	\$0.40	\$0.60	\$0.80
<u>On-site Adders</u>									
Occupancy	\$0.85	\$0.85	\$0.85	\$0.85	\$0.85	\$0.85	\$0.85	\$0.85	\$0.85
Infrastructure	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00
G&A	\$3.15	\$3.85	\$3.85	\$3.15	\$3.85	\$3.85	\$3.15	\$3.85	\$3.85
Other	\$0.60	\$0.90	\$1.20	\$0.60	\$0.90	\$1.20	\$0.60	\$0.90	\$1.20
<u>Net Rates</u>									
Net In-house Rate	\$45.00	\$55.35	\$65.70	\$47.00	\$57.35	\$67.70	\$49.10	\$60.48	\$71.85
Net Vendor On-site Rate	\$50.60	\$56.35	\$61.90	\$52.85	\$58.75	\$64.55	\$55.21	\$63.38	\$69.54
Net Vendor Remote Rate	\$21.60	\$32.70	\$43.60	\$24.75	\$38.40	\$50.05	\$28.93	\$42.70	\$54.45
Billable hours per month	198								

At cols. 29-30 Srinivasan shows transition cost of moving projects to vendor versus doing the project in-house.

1.4 STAFF TRANSITION MATRIX																				
ID/VE	Rate	I/H	99/01	99/02	99/03	99/04	99/05	99/06	99/07	99/08	99/09	99/10	99/11	99/12	(p-00)	I/H		in-house	vendor	vendor
																Local	Remote	Cost	Cost (L)	Cost (R)
1.4.1 Staff Transition - 1999																				
Proposed Team																				
RI-Project Executive	III	\$65.70	1	0.5	0.5	0.5	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	3.75				\$39,009	
RI-Project Manager	III	\$65.70	1	1	1	1	1	1	0.5	0.5	0.5	0.5	0.5	0.5	8.5				\$28,421	
RI-Transition Manager	III	\$65.35	1	1	1	1	1	1	0.5	0.5	0.5	0.25	0.25	0.25	7				\$61,346	
Vendor Project Manager	VE	\$65.70	1	1	1	1	1	1	0.5	0.5	0.5	0.5	0.5	0.5	8.5	8.5			\$88,421	
Name 1	III	\$65.35	1	1	1	1	1	1	0.5	0.5	0.25	0.25	0.25	0.25	6.5				\$46,964	
Vendor Replacement 1	VE	\$56.25	1				1	1	1	1	1	1	1	1		9			\$30,156	
Name 2	III	\$45.00	1	1	1	1	0.5	0.5	0.5						4.5				\$32,063	
Vendor Replacement 2	VE	\$50.80	1	1	1	1										3			\$24,005	
Vendor Replacement 3	R	\$21.80				1	1	1	1	1	1	1	1	1			9		\$31,065	
Vendor Replacement 4	VE	\$50.60	1	1	1	1										3			\$24,005	
Vendor Replacement 5	R	\$21.80				1	1	1	1	1	1	1	1	1			9		\$31,065	
Name 3	III	\$65.70	1	1	1	1	1	1	1	1	1	1	1	1	12				\$134,830	
Vendor Replacement 3	VE	\$43.60	R			1	1	1	1	1	1	1	1	1			9		\$62,130	
Name 4	III	\$45.00	1												6	1			\$0	\$7,125
TOTALS					5	5	5	6.5	6	6	5.25	6.25	5.25	5.25	23	16	29	\$402,634	\$223,773	\$124,960
Current In-house Team																				
RI-Project Executive	III	\$65.70	1	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	6				\$62,415	
RI-Project Manager	III	\$65.70	1	1	1	1	1	1	1	1	1	1	1	1	12				\$124,830	
Name 1	III	\$65.35	1	1	1	1	1	1	1	1	1	1	1	1	12				\$105,165	
Name 2	III	\$45.00	1	1	1	1	1	1	1	1	1	1	1	1	12				\$85,500	
Name 3	III	\$65.70	1	1	1	1	1	1	1	1	1	1	1	1	12				\$134,830	
Name 4	III	\$45.00	1	1	1	1	1	1	1	1	1	1	1	1	12				\$85,500	
TOTAL CURRENT SPEND					4	4	4	4	4	4	4	4	4	4	48				\$588,240	
1.4.2 Staff Transition - 2000																				
RI-Project Executive	III	\$68.70	1	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	3.75				\$40,791	
RI-Project Manager	III	\$68.70	1	0.5	0.5	0.5	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25					\$55,893	
Vendor Project Manager	VE	\$58.75	1	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5		6			\$111,825	
Vendor Replacement 1	VE	\$58.75	1	1	1	1	1	1	1	1	1	1	1	1						
Vendor Replacement 2	VE	\$26.75	R	1	1	1	1	1	1	1	1	1	1	1			12			
Vendor Replacement 3	VE	\$26.75	R	1	1	1	1	1	1	1	1	1	1	1			12		\$38,119	
Name 3	III	\$68.70	1	1	1	1	1	1	1	1	1	1	1	1	1				\$10,878	
Vendor Replacement 3	VE	\$50.05	R	1	1	1	1	1	1	1	1	1	1	1			12		\$95,095	
TOTALS					4	3	3	4.75	4.76	4.75	4.75	4.75	4.75	4.75	4.76	18	30	\$51,668	\$167,438	\$171,333

However as Applicant points out in his response dated 09/21/2010, the prior art contains “no teaching of computing a skills gap score for candidate locations by, inter alia, subtracting scores in a geography profile from importance values in a product profile and computing an opportunity gap score for candidate locations by, inter alia, subtracting importance values in the product profile from scores in the geography profile,” see remarks p.15-16.

6. With respect to independent claim 18, which has been amended to include the feature of “using computer-readable program code executed by a computer to programmatically compute a skills gap score for each of the candidate locations, further comprising: computing a plurality of skills gap values for the candidate location by subtracting, for each of the first plurality of the assessment criteria, the score assigned

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to the assessment criterion in the geography profile for the candidate location from the importance value assigned to the assessment criterion in the product profile; and summing, for each of the candidate locations, each of the computed skills gap values to yield the skills gap score for the candidate location; using computer-readable program code executed by the computer to programmatically compute an opportunity gap score for each of the candidate locations, further comprising: computing a plurality of opportunity gap values for the candidate location by subtracting, for each of the second plurality of the assessment criteria, the importance value assigned to the assessment criterion in the product profile from the score assigned to the assessment criterion in the geography profile for the candidate location; and summing, for each of the candidate locations, each of the computed opportunity gap values to yield the opportunity gap score for the candidate location; and using computer-readable program code executed by the computer to programmatically select a particular location from among the candidate locations for placing the resources, based on the programmatically-computed skills gap score for each of the candidate locations and the programmatically-computed opportunity gap score for each of the candidate locations." The record is clear that these features were not well known in the art at the time the invention was made. Thus the combination of the prior teachings does not render the claimed limitation obvious.

7. With respect to independent claim 28, which has been amended to include the feature of "programmatically computing a skills gap score for each of the candidate locations, further comprising: computing a plurality of skills gap values for the candidate location by subtracting, for each of the first plurality of the assessment criteria, the score

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assigned to the assessment criterion in the geography profile for the candidate location from the importance value assigned to the assessment criterion in the product profile; and summing, for each of the candidate locations, each of the computed skills gap values to yield the skills gap score for the candidate location; programmatically computing an opportunity gap score for each of the candidate locations, further comprising: computing a plurality of opportunity gap values for the candidate location by subtracting, for each of the second plurality of the assessment criteria, the importance value assigned to the assessment criterion in the product profile from the score assigned to the assessment criterion in the geography profile for the candidate location; and summing, for each of the candidate locations, each of the computed opportunity gap values to yield the opportunity gap score for the candidate location; and summing, for each of the candidate locations, each of the computed opportunity gap values to yield the opportunity gap score for the candidate location; and programmatically selecting particular location from among the candidate locations for placing the resources, based on the programmatically-computed skills gap score for each of the candidate locations and the programmatically-computed opportunity gap score for each of the candidate locations.” The record is clear that these features were not well known in the art at the time the invention was made. Thus the combination of the prior teachings does not render the claimed limitation obvious.

8. With respect to independent claim 36, which has been amended to include the feature of “programmatically computing a skills gap score for each of the candidate locations, further comprising: computing a plurality of skills gap values for the candidate

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location by subtracting, for each of the first plurality of the assessment criteria, the score assigned to the assessment criterion in the geography profile for the candidate location from the importance value assigned to the assessment criterion in the product profile; and summing, for each of the candidate locations, each of the computed skills gap values to yield the skills gap score for the candidate location; pro grammatically computing an opportunity gap score for each of the candidate locations, further comprising: computing a plurality of opportunity gap values for the candidate location by subtracting, for each of the second plurality of the assessment criteria, the importance value assigned to the assessment criterion in the product profile from the score assigned to the assessment criterion in the geography profile for the candidate location; and summing, for each of the candidate locations, each of the computed opportunity gap values to yield the opportunity gap score for the candidate location; and programmatically selecting a particular location from among the candidate locations for placing the resources, based on the programmatically-computed skills gap score for each of the candidate locations and the programmatically-computed opportunity gap score for each of the candidate locations. The record is clear that these features were not well known in the art at the time the invention was made. Thus the combination of the prior teachings does not render the claimed limitation obvious.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ricketts US Patent 7,548,871 teaches examining resource, cost and price by business process when selecting the right mix of location on-site, on-shore, and off-shore resources is involved in achieving service level agreements at a competitive price, see at least fig. 2-3B
- Gopalan et al US Publication 2007/0033060 teaches determining weights for each of the criteria representative of business goals and ranking the potential outsourcing locations based on the weighted criteria, see at fig. 3 and 5
- Forman, Ernest et al. "Decision by Objectives," World Scientific 2001. teaches various decision making techniques, see table of contents and pages 37-78

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FOLASHADE ANDERSON whose telephone number is (571)270-3331. The examiner can normally be reached on Monday through Thursday 8:00 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Van Doren can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Folashade Anderson/
Examiner, Art Unit 3623

/Andre Boyce/
Primary Examiner, Art Unit 3623